REMARKS

The present application was filed on June 14, 1999 with claims 1-22. Claims 1-22 remain pending. Claims 1, 9 and 17 are the pending independent claims.

In the outstanding Office Action dated March 28, 2003, the Examiner: (i) rejected claims 8 and 16 under 35 U.S.C. §112, first paragraph; (ii) rejected claims 1-6, 9-14 and 17-22 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,111,878 (hereinafter "Powell") in view of IEEE article 0-7803-1375-5/93 (hereinafter "Kelly"); and (iii) rejected claims 7-8 and 15-16 under 35 U.S.C. §103(a) as being unpatentable over Powell in view of Kelly and further in view of U.S. Patent No. 5,638,379 (hereinafter "Narasimha").

In response to the Office Action, Applicant traverses the rejection to claims 8 and 16 under 35 U.S.C. §112, first paragraph, and amends claims 1, 9 and 17.

With regard to the rejection of claims 8 and 16 under 35 U.S.C. §112, first paragraph, Applicant respectfully traverses. The transmit clock generated by an add-drop multiplexer (ADM) is described in the paragraph beginning on page 6, line 4, of the specification. Additionally, the transmit clock generated by an ADM is shown in FIG. 2. The position of switch 42 determines whether the transmit clock from the ADM or the DS1 timing reference signal is applied. These claims are therefore believed to be enabled by the specification and fully compliant with §112, first paragraph.

Independent claims 1, 9 and 17 have been amended to recite that the digital subscriber line transport signal includes frequency and phase information associated with a transmitter-side timing reference signal. Additionally, a local oscillator is provided in the transmitter and adapted to receive the transmitter-side timing reference signal as an external timing reference. Finally, upon receiving the transport signal at the receiver, the frequency and phase information is recovered and a receiver-side timing reference signal is derived and used to control timing in the receiver. These elements are not disclosed in the proposed combination of Powell and Kelly. Accordingly, withdrawal of the §103(a) rejection of claims 1-6, 9-14 and 17-22 is respectfully requested.

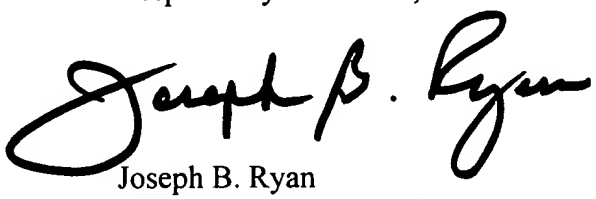
With regard to the rejection of claims 7-8 and 15-16 under 35 U.S.C. §103(a) as being unpatentable over Powell in view of Kelly and further in view of Narasimha, Applicant asserts that such claims are patentable for at least the reasons that independent claims 1, 9 and 17, from which

claims 7-8 and 15-16 directly depend, are patentable. The patentability of claims 1, 9 and 17 is discussed above. Accordingly, withdrawal of the rejection to claims 7-8 and 15-16 under §103(a) is respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the present Amendment. The attached pages are captioned "Version with Markings to Show Changes Made."

In view of the above, Applicant believes that claims 1-22 are in condition for allowance, and respectfully requests withdrawal of the §112 and §103(a) rejections.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

1. (Amended) A method for communicating information from a transmitter to a receiver in a communication system, the method comprising the steps of:

processing in the transmitter a payload signal and a transmitter-side timing reference signal to generate a digital subscriber line transport signal including [timing] frequency and phase information associated with the transmitter-side timing reference signal; and

transmitting the transport signal from the transmitter to the receiver, such that the receiver can recover at least a portion of the [timing] frequency and phase information and derive therefrom a receiver-side timing reference signal used to control timing in the receiver;

wherein the digital subscriber line transport signal is configured to include the frequency and phase information associated with the transmitter-side timing reference signal by providing in the transmitter a local oscillator adapted to receive the transmitter-side timing reference signal as an external timing reference.

9. (Amended) An apparatus for use in communicating information in a communication system, the apparatus comprising:

a transmitter operative to process a payload signal and a transmitter-side timing reference signal to generate a digital subscriber line transport signal including [timing] frequency and phase information associated with the transmitter-side timing reference signal, and to transmit the transport signal to a receiver, such that the receiver can recover at least a portion of the [timing] frequency and phase information therefrom and derive therefrom a receiver-side timing reference signal used to control timing in the receiver;

wherein the digital subscriber line transport signal is configured to include the frequency and phase information associated with the transmitter-side timing reference signal by providing in the transmitter a local oscillator adapted to receive the transmitter-side timing reference signal as an external timing reference.

17. (Amended) An apparatus for use in communicating information in a communication system, the apparatus comprising:

a receiver operative to receive a digital subscriber line transport signal including [timing] frequency and phase information associated with a transmitter-side time reference signal and a transmitter of the system, the transport signal being generated in the transmitter by processing a payload signal and a transmitter-side timing reference signal, wherein the receiver is further operative to recover at least a portion of the [timing] frequency and phase information from the transport signal and derive therefrom a receiver-side timing reference signal used to control timing in the receiver;

wherein the digital subscriber line transport signal is configured to include the frequency and phase information associated with the transmitter-side timing reference signal by providing in the transmitter a local oscillator adapted to receive the transmitter-side timing reference signal as an external timing reference.